

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,)

Plaintiff,)

v.)

GREGORY JOHN RADER,)

Defendant.)

CASE NO. CR05-301MJP

DETENTION ORDER

Offense charged:

Count I: Possession of Visual Depictions of Minors Engaged in Sexually
Explicit Conduct, in violation of Title 18, U.S.C., Section
2252(a)(4)(B) and (b)(2).

Date of Detention Hearing: September 28, 2006.

The Court, having conducted an uncontested detention hearing pursuant to Title
18 U.S.C. § 3142(f), and based upon the factual findings and statement of reasons for
detention hereafter set forth, finds that no condition or combination of conditions which the
defendant can meet will reasonably assure the appearance of the defendant as required and
the safety of any other person and the community. The Government was represented by
Kelly Harris. The defendant was represented by Paula Deutsch.

DETENTION ORDER
PAGE -1-

1 The Government moves for detention, to which the defendant stipulates.

2 FINDINGS OF FACT AND STATEMENT OF REASONS FOR DETENTION

3 (1) There is probable cause to believe the defendant committed the offense.

4 The offense involves a minor. There is therefore a rebuttable
5 presumption against the defendant's release based upon both
6 dangerousness and flight risk, under Title 18 U.S.C. § 3142(e).

7 (2) Nothing in this record satisfactorily rebuts the presumption against
8 release for several reasons: Using the factors below, under Title 18 §
9 3142 (g), the Court considered the following:

10 (a) The nature and circumstances of the offense charged, including
11 whether the offense is a crime of violence or involves a narcotic
12 drug;

13 (b) The weight of the evidence;

14 (c) The history and characteristics of the person; and

15 (d) Risk of danger to the community.

16 (3) The defendant stipulates to detention.

17 (4) Based upon the foregoing information, it appears that there is no
18 condition or combination of conditions that would reasonably assure
19 future Court appearances and/or the safety of other persons or the
20 community.

21 **It is therefore ORDERED:**

22 (1) The defendant shall be detained pending trial and committed to the
23 custody of the Attorney General for confinement in a correction facility
24 separate, to the extent practicable, from persons awaiting or serving
25 sentences or being held in custody pending appeal;

26 (2) The defendant shall be afforded reasonable opportunity for private

1 consultation with counsel;

- 2 (3) On order of a court of the United States or on request of an attorney for
3 the Government, the person in charge of the corrections facility in which
4 the defendant is confined shall deliver the defendant to a United States
5 Marshal for the purpose of an appearance in connection with a court
6 proceeding; and
- 7 (4) The clerk shall direct copies of this order to counsel for the United
8 States, to counsel for the defendant, to the United States Marshal, and to
9 the United States Pretrial Services Officer.

10 DATED this 30th day of September, 2006.

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13 Monica J. Benton
14 U.S. Magistrate Judge

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